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OLC 79-1371/5

18 JUN 1979

MEMORANDUM FOR: See Distribution

FROM :   
Chief, Legislation Division, OLCSUBJECT : Amendment Number 186, the "Telephone Record  
Privacy Act of 1979"

1. Attached is a proposed amendment to S. 622 (you had previously been asked to comment on S. 622, the "Telecommunications Competition and Deregulation Act of 1979" (OLC 79-1371/1)).

2. Amendment Number 186 provides for the confidentiality of telephone billing records by requiring a subpoena or other judicial order prior to the inspection of the telephone records by an officer, employee, or agent of the U.S. Government. This amendment would give customers of telephone and telegraph companies the same protection Congress gave bank depositors in 1978, and tracks very closely the Right to Financial Privacy Act of 1978.

3. Your attention is specifically directed to Section 414, page 22, which contains an exemption for Government authorities authorized to conduct foreign counter - or foreign positive - intelligence activities for purposes of conducting such activities. This exemption has a certification (\$414(a)(2)) and reporting (\$421(b)) requirement. Please advise  of the Legislation Division as to whether the above-cited CIA exemption fully covers your needs by COB 26 June 1979.

Attachment

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